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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,471	04/26/2001	Roger Kenneth Abrams	RPS920010007US1	7993

7590 03/30/2004
J. Bruce Schelkopf
IBM Corp.
PPSG Legal Dept., Dept. 9CCA/Bldg. 002-2
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Research Triangle Park, NC 27709

EXAMINER

TRAN, MYLINH T

ART UNIT	PAPER NUMBER
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2174

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DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/842,471

Applicant(s)

ABRAMS, ROGER KENNETH

Examiner

Mylinh T Tran

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The abstract of the disclosure is objected to because a typo error on lines 19 "iconor". Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rees [US. 6,529,210] in view of Bird et al. [US. 6,323,884].

As to claims 1 and 17, Rees discloses acquiring data corresponding to a motion of a pointing cursor on a display (figure 3, 19), said motion of said pointing cursor corresponding to a movement pointing device used to move said pointing cursor from a first source position to a first destination position on said display (figure 3, 23, 37); generating a set of motion vectors corresponding to said motion of said pointing cursor from said first source position to said first destination position (figure 3, 35, column 8, lines 8-45), and storing said set of motion vectors and said destination position referenced to said first source position (column 9, lines 54-64). The difference between Rees and the claim is a graphical user interface icon for

selection with a pointing device. Bird et al. shows the limitation at column 2, lines 55-67. It would have been obvious to one of ordinary skill in the art, having the teachings of Rees and Bird et al. before them at the time the invention was made to modify the movement of the pointing device from one point to another one as taught by Rees to include the selection of a GUI icons of Bird et al., because the icon can represent an object that can be manipulated by the user as taught by Bird et al.

As to claims 2, 18, 34, 47, 50 and 53, while Rees also discloses generating, within an application program, a first motion vector for said pointing cursor on said display as said pointing cursor moves from a second source position in response to a motion of said pointing device (column 8, lines 10-47), Bird et al. teaches predicting a destination point icon (column 2, lines 22-45); and highlighting said destination point icon (column 6, lines 58-68).

As to claims 3, 5, 11, 14, 19, 21, 27, 30, 41, 44, 48, 51 and 54, the claim is analyzed as previously discussed with respect to claim 2 except for the feature of "the highlighted destination point icon is actuated by a user of said pointing device". Bird et al. shows the feature at column 9, lines 15-23 and column 10, lines 45-55.

As to claims 4, 20, 35, 49 and 52, the claim is analyzed as previously discussed with respect to claim 2 except for the feature of "modifying a motion of said pointing cursor to more nearly follow ideal motion vectors from

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said first source to said destination point icon ". Rees teaches the feature at column 10, lines 46-67.

As to claims 6, 22 and 36, Bird et al. also teaches said display corresponding to a graphic user interface (GUI) (column 2, lines 23-45).

As to claims 7, 8, 23, 24 and 37-38, Rees provides first source position being a position of a predetermined source point icon and said first destination position being a position of a predetermined destination point icon (figure 3-4, 23, 37 are predetermined source and destination point icons).

As to claims 9, 25 and 39, Rees also provides motion vectors being generated each time said motion starts from a motion stop (column 8, lines 8-47).

As to claims 10, 26 and 40, Rees demonstrates motion vector comprising parameters defining a pointing cursor average velocity, starting position, stopping position, and motion direction (column 9, lines 28-35).

As to claims 12, 28 and 42, Rees also demonstrates said set of motion vectors are associated with said first source position and source said first source position, source positions proximate to and said first destination position and destination positions proximate to said second position (figure 5, column 9, line 54 through column 10, lines 22).

As to claims 13, 29 and 43, Rees discloses said second source position corresponding to a position of a source point icon (figures 3-4 and 5).

As to claims 15, 31 and 45, Rees also discloses pointing cursor locks to said destination point icon until a motion vector indicates a more likely destination point icon (column 8, lines 28-46).

As to claims 16, 32 and 46, Rees shows said pointing cursor motion proceeding from said first source position to said destination point icon corresponding to an ideal motion vector, said ideal motion vector motion changed only if a new destination point icon is determined (figure 5, 35 and column 12, line 51 through column 13, line 10).

As to claim 33, the claim is analyzed as previously discussed with respect to claim 1 except for a central processing unit, a random access memory, a communications adapter coupled to a communication network, an I/O adapter and a bus system coupling said CPU to said ROM, said communication adapter, said I/O adapter, and said RAM. Rees shows these limitations at column 7, lines 15-31.

Conclusion

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 746-7238, may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 6.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner 's supervisor, Kristine Kincaid, can be reached on (703) 308-0640,

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Kristine Kincaid
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TECHNOLOGY CENTER 2100